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UNCLAS VIENNA 003298

SIPDIS

DEPARTMENT FOR IO/UNP AND EUR/AGS

E.O. 12958: N/A

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SUBJECT: AUSTRIA LIKELY TO SUPPORT BUERGENTHAL FOR ICJ

REF: STATE 179062

1. Pol Unit Chief delivered reftel diplomatic note, Buergenthal CV and talking points on October 5 to Acting U/S-equivalent for International Legal Affairs Helmut Tichy. Tichy noted that the national group to which Austria belongs had decided not to put forward a nomination. This left three WEOG candidates for two nominations to the ICJ: a Spanish and a New Zealand candidate in addition to Judge Buergenthal.

2. Tichy stated that Austria normally preferred to work through mutual agreements for support but respected the U.S. position not to do so. Tichy could not, therefore, make a firm commitment but said that Austrian support for Buergenthal's candidacy was "highly likely" because of Buergenthal's incontestably excellent qualifications. Tichy then reiterated previous requests that the U.S. support Austria's bid for a UN Security Council rotating seat beginning in 2008.  
van Voorst